

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF A )  
WATER RIGHT IN THE )  
NAME OF GEORGE PUTMAN )  
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ORDER ENTERING MANDATE

The above-entitled cause was on this date brought before the Director, Department of Water Resources, for an order entering the Mandate of the Supreme Court of the State of Oregon which is in words and figures as follows:

STATE OF OREGON  
SUPREME COURT

PETER B. CRANDALL AND )  
CORA D. CRANDALL, )  
 )  
Petitioners, )  
 )  
v. )  
 )  
WATER RESOURCES DEPARTMENT of )  
The State of Oregon, James E. )  
Sexson, Director, ROGUE RIVER )  
VALLEY IRRIGATION DISTRICT, and )  
MEDFORD IRRIGATION DISTRICT, )  
 )  
Respondents. )

JUDGMENT AND MANDATE  
Judicial Review from Water  
Resources Department  
CA 12089  
SC 27034

This cause having been duly submitted on Petition for Review from the Court of Appeals and this Court having considered the issues on review finds there is not error as alleged.

IT IS THEREFORE ADJUDGED and ORDERED that the decision of the Court of Appeals is affirmed and the decision of the Water Resources Department is affirmed in part; reversed in part and remanded.

The cause is remanded through the Court of Appeals to the Water Resources Department for further proceedings in conformity with the opinion of this Court and the Court of Appeals.

IT IS FURTHER ORDERED that petitioners recover from respondents costs and disbursements taxed at \$586.

ENTERED in the Supreme Court: March 31, 1981.

ENTERED in the Court of Appeals: April 14, 1980.

Issued at Salem, Oregon: May 20, 1981.

Based upon the aforementioned Judgment and Mandate of the Supreme Court of the State of Oregon,

IT IS THEREFORE ORDERED that the Order of the Director of the Department of Water Resources dated July 27, 1978, "In the Matter of a Water Right in the Name of George Putman", be and hereby is amended to comply with the decision of the Court of Appeals, and that order of the Director dated July 27, 1978 be and hereby is amended as follows:

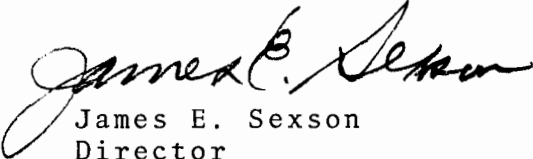
#### ORDER

NOW, THEREFORE it hereby is ORDERED that the right for the use of not to exceed 15.6 cubic feet per second of water from Little Butte Creek, with a date of priority of 1872, for power purposes at Butte Creek or Daley Flouring Mill at Eagle Point, Oregon in Section 3, Township 36 South, Range 1 West, W.M., as evidenced by the certificate recorded in Volume 14, page 17191, State Record of Water Right Certificates, in the name of George Putman, is canceled.

IT IS FURTHER ORDERED that the certificate recorded in Volume 14, page 17191, State Record of Water Right Certificates, in the name of George Putman is canceled, and in lieu thereof a new certificate of water right be issued to Peter V. Crandall and Cora D. Crandall, with a date of priority of 1872, confirming the right to the use of not to exceed 24.4 cubic feet per second of water from Little Butte Creek for development of direct water power in the Butte Creek Mill located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, Township 36 South, Range 1 West, W.M.

IT IS FURTHER ORDERED that Peter B. Crandall and Cora D. Crandall recover from the respondents costs and disbursements taxed in the sum of \$586.00.

Dated at Salem, Oregon this 6th day of July 1981.

  
James E. Sexson  
Director

You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within sixty days from the service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.